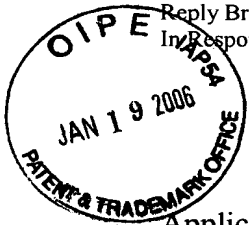


AF JFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Takako Hirose, et al.
Appln. No. : 09/622,656
Filed : October 30, 2000
Title : SYSTEM FOR DELIVERING MESSAGE AND PROCESSING
THE MESSAGE ON SERVER BASED ON INSTRUCTION
FROM THE CLIENT AFTER THE MESSAGE DELIVERING
COMPLETED

Conf. No. : 2705
TC/A.U. : 2154
Examiner : Jinsong Hu

Customer No. : 000,116
Docket No. : 32911

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANTS' REPLY BRIEF

Sir:

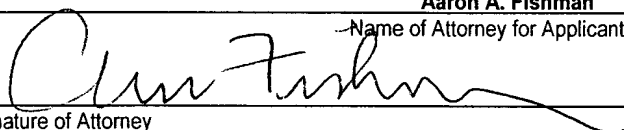
This brief is filed in response to Examiner's Answer dated November 16, 2005. Therefore, the two-month period for filing this reply brief pursuant to 37 CFR § 41.41(a)(1) expires on January 16, 2006.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32911.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Aaron A. Fishman

Name of Attorney for Applicant(s)


Signature of Attorney

January 17, 2006
Date

ARGUMENTS

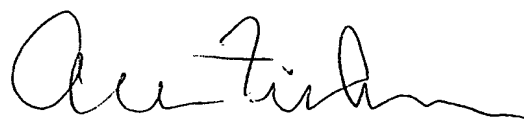
In the Examiner's Answer, the Examiner states that "the user (or user computer) in the Bulfer's system has capabilities of requesting, acquiring and storing messages (col. 3, lines 21-36), i.e., it is a client system as claimed in claim 1." Appellants do not dispute that the computer described in the cited passage of Bulfer has such capabilities. However, if this computer of Bulfer is considered to be the claimed client system, then Bulfer does not teach or suggest that "the server unit includes a message start notification means for *sending said notification to the client system in response to arrival of the succeeding message at the server,*" as required. Rather, Bulfer teaches that the agent (12) notifies the *user* that a new message has been received by "paging the user or calling the user at a designated number," (column 2, lines 52-53). This in no way suggests communication between the agent (12) and the *computer* described in column 3, lines 21-36.

In other words, Bulfer does not teach or suggest sending a notification of the arrival of a message to the same client system that is later used to receive and store the message, as in claim 1 of the instant application. Rather, Bulfer teaches that an agent sends a notification to the user's pager or telephone indicating that a new message has been received, and then the user uses a computer to retrieve and read the message. Therefore, if the user's pager or telephone is considered to be the client system, then the other limitations of the client system of claim 1, such as "acquiring a delivery message from a server" are not taught or suggested by Bulfer. On the other hand, if the user's computer is considered to be the client system, then Bulfer does not teach or suggest sending a notification to the client system in response to arrival of the succeeding message.

For the aforesaid reasons and the reasons set forth in Appellants' Brief submitted on August 31, 2005, Appellants respectfully request the Board of Patent Appeals and Interferences to reverse the rejection of claims 1-6 and return the instant application to the examiner for issuance of a notice of allowability.

Respectfully submitted,

PEARNE & GORDON LLP

By: 
Aaron A. Fishman – Reg. No. 44,682

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: January 17, 2006